



March 28, 2014

VIA E-MAIL

Mr. Darrell Nitschke
Executive Secretary
North Dakota Public Service Commission
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480

**RE: Courtenay Wind Farm, LLC's Certificate of Site Compatibility Application
for the Courtenay Wind Farm in Stutsman County, North Dakota
Case No. PU-13-64**

Dear Mr. Nitschke:

As required by paragraph no. 5 of the Certification Relating to Order Provisions ("Certification") incorporated into the Commission's Findings of Fact, Conclusions of Law and Order issuing a Certificate of Site Compatibility to Courtenay Wind Farm, LLC, in the above-referenced docket, Courtenay Wind Farm, LLC, hereby notifies the Commission of its intent to begin construction activities associated with the Courtenay Wind Farm, specifically clearing of trees and shrubs, on April 1, 2014. In accordance with paragraph no. 2 of the Certification, a pre-construction conference was held on March 27, 2014, and a copy of the notes from the conference is enclosed.

Courtenay Wind Farm, LLC, requests that this letter and the enclosed pre-construction conference notes be filed in the above-referenced docket. If you have any questions, please do not hesitate to contact me.

Sincerely,

Patrick Smith

Enclosure

cc: Jerry Lein (via e-mail)
Kevin Magstadt (via e-mail)
Mollie Smith (via e-mail)



**Notes of Pre-Construction Call (Pre-Tree Clearing) with ND PSC Staff
Courtenay Wind Farm, LLC – Courtenay Wind Farm Project
March 27, 2014**

Attendees:

Jerry Lien, ND PSC
Patrick Smith, Geronimo
Jay Hesse, Geronimo
Mollie Smith, Fredrikson and Byron
Kim Gorman, Tetra Tech
Tyler Gylland, Tyler's Tree Clearing

Initial Remarks:

Group discussed that this call would focus on tree clearing activities, and that a second pre-construction call would be held with the general contractor prior to the start of other construction activities.

Jerry noted the Certification provisions (included in the Commission's Order granting a Certificate of Site Compatibility for the Project) that would apply to tree clearing activities, such as keeping the work area clean, closing gates, etc.

Jerry shared that the Commission has selected its construction inspector for the Project and he should be included in future communications, including the notice of intent to begin construction and the weekly construction reports. The construction inspector's contact information is:

Kevin Magstadt, Wenck Associates, Mandan, ND
kmagstedt@wenck.com
701-751-6121

Tree and Shrub Clearing:

Jerry noted that tree and shrub clearing/replacement is addressed in the Tree and Shrub Mitigation Specifications attached to the Commission's Order granting a Certificate of Site Compatibility for the Project.

Tetra Tech completed a tree/shrub inventory, which was filed with the Commission and provided to Jerry via e-mail. In the report:

- Trees and shrubs equal to or greater than 1" in diameter and chest height were inventoried by direct count (no sampling plan required).
- Dead trees were included in the inventory.

Jerry noted that dead trees do not need to be replaced.

Patrick stated that clearing is scheduled to be complete before 4/15/2014 to minimize environmental impacts on the nesting of migratory birds.

Tyler Tree Clearing is visiting the site this week to plan for upcoming work in the first 2 weeks of April.

Replacement:

Jerry discussed the tree/shrub replacement requirements:

- 2 to 1 replacement required.
- Replacement saplings must be at least 2 years old or greater.
- Annual inspection and report required on the new trees for three years, and a 75% survival rate is required after 3 years or the Commission may require additional plantings.
- Should consult with the landowner and ask if they would like the replacement trees on their property, what type of trees they prefer and where they would like them planted.
 - o Geronimo indicated it plans to consult with landowners about trees prior to submitting the replacement plan.
- A tree replacement plan must be filed and approved by the Commission before replacement begins and must include the information required in the Tree and Shrub Mitigation Specifications.
 - o Jerry noted that no replacement is necessary for shrubs that regrow on their own.
 - o Jerry noted that the trees that Courtenay plans to plant by the substation as agreed to and included in the Order granting a Certificate of Site Compatibility for the Project can be counted towards the replacement requirement, and should be documented in the replacement plan approved by the Commission.
- Courtenay indicated that it plans to plant the replacement trees after construction at the same time as other restoration activities.

Weekly Construction Report:

Jerry noted that weekly reports must be filed, beginning with the tree clearing activities.

- Each report should discuss the week's work and unusual events.
- If there are any unique issues that come up during construction (such as an injury), Jerry asked that we contact him directly in addition to including the information in the weekly report.



- Weekly reports should be e-mailed to the Commission's Construction Inspector (Kevin Magstadt) and Jerry Lein, and filed with the Commission via e-mail (ndpsc@nd.gov).